IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.1707 OF 2005

Jankalyan Seva Committee ....Petitioner
Versus
State of Maharashtra & Ors. ....Respondents

Mr.S. K. Mali for the Petitioner.
Mr.Pradeep Jadhav, Assistant Government Pleader for Respondent No.1.
Mr.U. D. Uttangale for Respondent No.2.
Mr.R. D. Soni with Mr.S. D. Mishra for Respondent No.3.

**CORAM : DALVEER BHANDARI, C.J. &**
**S.J. VAZIFDAR, J.**
**DATE : 12TH AUGUST, 2005.**

**P.C. :**

The Petitioner in this Petition has argued that there are altogether 240 hutment dwellers on the plot of land bearing City Survey No.217 admeasuring 4444 sq.mtrs. existing since last more than 30 years and consequently they are eligible for allotment for permanent alternate accommodation under the Slum Redevelopment Scheme. The responsibility of providing alternate

accommodation is of Respondent No.3 – M/s.Bombay Paxwell Pvt. Ltd.

2. The learned counsel appearing for Respondent No.3 submits that Respondent No.3 is willing to provide permanent alternate accommodation to all 240 hutment dwellers.

3. The Slum Redevelopment Authority has found 36 hutment dwellers out of 240 hutment dwellers to be ineligible for allotment of permanent alternate accommodation.

4. The learned counsel appearing for Respondent No.1 submits that if proper representation is filed by these 36 hutment dwellers within one week, hearing would be given by the Additional Collector (Encroachment), an official of Respondent No.1, within four weeks thereafter. He would decide the same by a reasoned order after affording personal hearing to the representative of 36 hutment dwellers.

5. No further directions are necessary in this Writ Petition. This Petition is accordingly disposed of.

**CHIEF JUSTICE**

**S.J. VAZIFDAR, J.**